

1 JOHN C. BOYDEN, ESQ.
(SBN 3917)
2 ERICKSON, THORPE & SWAINSTON, LTD.
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3 Reno, NV 89505
(775) 786-3930
4 Attorneys for Plaintiff

5 IN THE UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 BARBARA JO EOFF,

8 Plaintiff,

CASE NO: 3:19-cv-00174-MMD-CBC

9 vs.

10 NANCY A. BERRYHILL,
Commissioner of Social Security,

**STIPULATION AND ORDER FOR
EAJA FEES**

11 Defendant.

12 _____ /
13 Plaintiff and Defendant, acting by and through their undersigned counsel, hereby stipulate
14 and agree, that Plaintiff's counsel has incurred attorneys' fees in the amount of \$2,500.00 for
15 preparation of the Motion for Remand, and costs incurred in the amount of \$419.05, for a total of
16 \$2,919.05, regarding the above-referenced matter. Therefore, pursuant to the Equal Access to Justice
17 Act, 28 U.S.C. § 2412, these attorney's fees and costs are to be awarded to Plaintiff in the amount
18 of \$2,919.05, and payment made payable to, and mailed to, Plaintiff's attorney, John C. Boyden, Esq.

19 After the Court issues an Order for EAJA fees to Plaintiff, the government will consider the
20 matter of Plaintiff's assignment of EAJA fees to John C. Boyden, Esq. Pursuant to *Astrue v. Ratliff*,
21 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether the fees are
22 subject to any offset allowed under the United States Department of the Treasury's Offset Program.
23 After the Order for EAJA fees is entered, the government will determine whether they are subject
24 to any offset.

25 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that
26 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses
27 and costs to be made directly to John C. Boyden, Esq., pursuant to the assignment executed by
28 Plaintiff. Any payments made shall be mailed to John C. Boyden, Esq., at Erickson, Thorpe &

1 Swainston, Ltd., P.O. Box 3559, Reno, NV 89505.

2 DATED this ____ day of January, 2020.

3 ERICKSON, THORPE & SWAINSTON, LTD.
4 P.O. Box 3559
Reno, NV 89505

5

6 BY: /s/ John C. Boyden
7 JOHN C. BOYDEN, ESQ.
Attorneys for Plaintiff

8 DATED this ____ day of January, 2020.

9 UNITED STATES ATTORNEY
10 Assistant Regional Counsel
11 Social Security Administration
160 Spear Street, Suite 800
San Francisco, CA 94105

12 BY: /s/ Jeffrey Chen
13 JEFFREY CHEN, ESQ.
14 Attorneys for Defendant

15 * * * * *

16 **ORDER**

17 Having considered the within Stipulation for EAJA Fees, and good cause appearing,

18 IT IS HEREBY ORDERED that attorney's fees and costs are to be awarded to Plaintiff in
19 the amount of \$2,919.05, and payment made payable to, and mailed to, Plaintiff's attorney, John C.
20 Boyden, Esq., of Erickson, Thorpe & Swainston, Ltd., P.O. Box 3559, Reno, NV 89505.

21 DATED this 30th day of January, 2020.

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25 UNITED STATES DISTRICT JUDGE
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